

1 witnesses, whose deposition was at that point scheduled for November 18, 2013.
2 According to defendant, the day following the filing of this letter with the court, plaintiff's
3 counsel notified defendant's counsel in writing that he was "taking the deposition 'off
4 calendar.'" Defendant states that it will "await direction from the [c]ourt before filing any
5 material as to this issue."

6 Given that the court already previously advised plaintiff that no further continuances
7 would be granted, and given that plaintiff first noticed the deposition for a date before the
8 discovery deadline, then attempted to present a dispute to the court regarding the scope of
9 questions that had not yet been asked, and then took the deposition off calendar, the court
10 finds that plaintiff's request must be DENIED.

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12 **IT IS SO ORDERED.**

13 Dated: November 19, 2013



14 PHYLIS J. HAMILTON
15 United States District Judge
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